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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND BRANCH

UNITED STATES OF AMERICA,	)	No. 08-CR-00594 SBA
	)	
Plaintiff,	)	
	)	
v.	)	STIPULATION AND
	)	ORDER TO EXCLUDE TIME
	)	TO JULY 7, 2009
JOHN LACY,	)	
DARRYL BURKS,	)	
	)	
Defendants.	)	

On June 18, 2009, this Court *sua sponte* continued the hearing previously scheduled on June 23, 2009 to July 7, 2009 at 9:00 a.m.

The parties stipulate that the period from June 18, 2009 to July 7, 2009 shall be excluded from the calculation of time in which the trial of the above captioned matter must commence pursuant to the Speedy Trial Act, Title 18 U.S.C. Section 3161(c). The parties stipulate that the time is excludable from the time limitations of the Speedy Trial Act because the interests of justice are served by granting a continuance, pursuant to 18

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U.S.C. § 3161(h)(7)(A).

Such continuance is required because counsel for Darryl Burks has been involved in a lengthy criminal trial, and counsel for John Lacy has been immersed in preparation for trial in another matter. This continuance will allow the reasonable time necessary for effective preparation, taking into account the exercise of due diligence.

As such, the parties respectfully request that the time between June 18, 2009 and July 7, 2009 be excluded under U.S.C. § 3161(h)(7)(A).

DATED: June 23, 2009

Respectfully submitted,

JOSEPH P. RUSSONIELLO  
United States Attorney

/s/ Christina McCall  
CHRISTINA McCALL  
Assistant United States Attorney

/s/ Mary McNamara  
MARY McNAMARA  
Attorney for John Lacy

/s/ Brendan Conroy  
BRENDAN CONROY  
Attorney for Darryl Burks

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ORDER

Based on the reason provided in the stipulation of the parties above, the Court hereby FINDS that for adequate preparation of the case by all parties, and pursuant to 18 U.S.C. Sections 3161(h)(8)(A) and (B)(iv) an exclusion of time is warranted under the Speedy Trial Act. Based on these findings, IT IS HEREBY ORDERED THAT the time is excluded until July 7, 2009.

IT IS SO ORDERED.

DATED:6/23/09

  
SAUNDRA BROWN ARMSTRONG  
United States District Judge

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